


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0427 / REZONING – 1020 WEST PRATT STREET		

TO

DATE:

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

September 13, 2019

At its regular meeting of September 12, 2019, the Planning Commission considered City Council Bill #19-0427, for the purpose of changing the zoning for the property known as 1020 West Pratt Street (Block 0251, Lot 032), as outlined in red on the accompanying plat, from the R-8 Zoning District to the IMU-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #19-0427 and adopted the following resolution six members being present (six in favor):

RESOLVED, That the Planning Commission does not concur with the recommendation of its departmental staff, and recommends that City Council Bill #19-0427 be disapproved by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

- cc: Mr. Nicholas Blendy, Mayor's Office
 Mr. Matthew Stegman, Mayor's Office
 Ms. Nina Themelis, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 Mr. Colin Tarbert, BDC
 Mr. Derek Baumgardner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Mr. Bob Pipik, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Mr. Liam Davis, DOT
 Ms. Natawna Austin, Council Services
 Mr. Dominic McAlily, Council Services
 Ms. Alyssa Domzal, Esq.



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Chris Ryer
Director*

September 12, 2019

REQUEST: City Council Bill #19-0427/ Rezoning – 1020 West Pratt Street:

For the purpose of changing the zoning for the property known as 1020 West Pratt Street (Block 0251, Lot 032), as outlined in red on the accompanying plat, from the R-8 Zoning District to the IMU-1 Zoning District.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: 1020 West Pratt Holdings, LLC, c/o Alyssa Domzal, Esq.

OWNER: The 1020 Corporation

SITE/GENERAL AREA

Site Conditions: 1020 West Pratt Street is located on the northeast corner of the property, at the intersection with South Arlington Avenue, and is improved with a three-story brick building that covers the entire property. This lot is zoned R-8, and is located within the Poppleton Urban Renewal Plan area.

General Area: This property is located on the southern edge of the Hollins Market neighborhood, at the boundary with the Washington Village neighborhood. The B&O Railroad Museum and the Mt. Clare Junction shopping center are across the street to the south. The Hollins Market neighborhood is a predominantly residential neighborhood.

HISTORY

- On July 12, 2019, the Planning Commission reviewed City Council Bill #19-0398, proposing modifications to the Poppleton Urban Renewal Plan (URP), which included a change to the zoning map to call for the rezoning of 1020 West Pratt Street to the IMU-1 district. As of this writing, this bill is at 3rd Reader, for Final Passage by the City Council at their next meeting.

CONFORMITY TO PLANS

Assuming the passage of CCB #19-0398 is enacted, approval of CCB #19-0427 would carry out that proposed rezoning called for by the Poppleton URP. The addition of the call for rezoning of 1020 West Pratt Street was added at the request of the community.

ANALYSIS

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.

(3) *Additional standards – General*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

Below is the staff's review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public's interest, in that it will carry out the rezoning called for by the recent amendment to the Poppleton URP (provided CCB #19-0398 is enacted).

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

- 1. The Plan:** This rezoning has been specifically called for in a recent amendment to the Poppleton URP, that will recognize the existing building as one that can be used for a variety of uses, which include residential and light industrial options.
- 2. The needs of Baltimore City:** This rezoning will map an additional property into the IMU-1 zone, which recognizes the existing building on this property, and provides for additional light industrial uses that are compatible with the surrounding residential neighborhood.
- 3. The needs of the particular neighborhood:** This rezoning will allow for flexibility in the renovation and continued use for this building.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** Population estimates from the American Community Surveys from 2016-2017 have shown only minor changes, which does not affect this rezoning proposal.
2. **The availability of public facilities;** This site is well served by public facilities, which will continue into the future.
3. **Present and future transportation patterns;** The proposed rezoning will not negatively impact the surrounding streets, though this site is positioned along the West Pratt Street corridor, with access to major streets in this area, and more significant highways nearby.
4. **Compatibility with existing and proposed development for the area;** The proposed IMU-1 zone will recognize the existing building as being a non-residential building in form, and will continue to integrate it into the surrounding neighborhood.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA has not yet commented on this bill.
6. **The relation of the proposed amendment to the City's plan.** This proposal will enact the rezoning called for in the Poppleton URP (provided CCB #19-0398 is enacted).

There are additional standards under §5-508(b)(3) that must be considered for map amendments. These include:

- (i) **existing uses of property within the general area of the property in question;** This property is on the West Pratt Street corridor, which divides the Hollins Market residential neighborhood on the north side of the street from the commercial/industrial uses on the south side of the street (the Mt. Clare Junction shopping center and the B&O Museum).
- (ii) **the zoning classification of other property within the general area of the property in question;** The residential neighborhood on the north side of the West Pratt Street corridor is currently zoned R-8 residential, with C-2 and C-3 commercial zoning on the south side of West Pratt Street.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and** “The IMU Industrial Mixed-Use Zoning Districts are intended to encourage the reuse of older industrial buildings for light industrial use, as well as a variety of non-industrial uses.” (Zoning §11-203.a.1). This building is a very good example of why the IMU districts were created, and will allow for its reuse.
- (iv) **the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.** This proposed change is one of several proposed rezonings of property called for by the amendment to the Poppleton URP zoning map. Most notably the rezoning to BSC associated with the proposed repeal of the University of Maryland BioPark Planned Unit Development (PUD) in CCB #19-0399, the proposed IMU-1 zoning for 875 Hollins Street, the C-1 commercial zoning for

129-131 South Schroeder Street in CCB #19-0367. All of these rezonings are needed to support changes in development in the area, or omissions in the comprehensive rezoning of the City.

Per §5-508(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. This rezoning can be considered a correction of a mistake, in that this property should have been zoned IMU as part of the comprehensive rezoning of the City.



Chris Ryer
Director